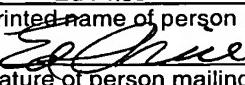


PTO-1390 TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY DOCKET NUMBER 85367 U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/534770
INTERNATIONAL APPLICATION NO. PCT/JP2004/006767	INTERNATIONAL FILING DATE May 13, 2004	PRIORITY DATE CLAIMED May 13, 2003
TITLE OF INVENTION OPTICAL MODULE AND METHOD FOR MONITORING AND CONTROLLING WAVELENGTH		
APPLICANT(S) FOR DO/EO/US Kawai et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. Please do not delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). <input checked="" type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11. to 20. below concern document(s) or information included:		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98, PTO/SB/O8a Substitute for Form 1449A/PTO and references as indicated. <input checked="" type="checkbox"/> An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A Preliminary Amendment. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Other items or information: International Search Report and Notification Form PCT/1B/346. 		
CERTIFICATE OF MAILING BY "EXPRESS MAIL"		
"Express Mail" Mailing Label Number <u>EV 513605052 US</u> Date of Deposit <u>MAY 13 2005</u>		
<p>I hereby certify that this paper or fee is being deposited with sufficient postage utilizing the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p style="text-align: center;">Ed Price (Typed or printed name of person mailing)  (Signature of person mailing)</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.4)	INTERNATIONAL APPLICATION NO. PCT/JP2004/006767			ATTORNEY DOCKET NUMBER 85367		
21. The following fees are submitted:					Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee \$300.00 <input checked="" type="checkbox"/> b) Examination fee \$200.00 <input checked="" type="checkbox"/> c) Search fee \$500.00					\$ 300.00	
					\$ 200.00	
					\$ 500.00	
TOTAL OF ABOVE CALCULATIONS =					\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof		RATE		
56 - 100 =	0 / 50 =	0	x	\$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA		RATE		
Total claims	29	- 20 =	9	x \$50.00	\$ 450.00	
Independent Claims	3	- 3 =	0	x \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)					\$360.00	\$ 360.00
					\$ 1,810.00	
Applicant(s) assert entitlement to Small Entity Status (37 CFR 1.27), thus reducing the filing fee by half to:					\$ 905.00	
					SUBTOTAL =	\$ 1,810.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$	
					TOTAL NATIONAL FEE =	\$ 1,810.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.					\$ 40.00	
					TOTAL FEES ENCLOSED =	\$ 1,850.00
AMOUNT TO BE:					Refunded	\$
					Charged	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.						
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 06-1135 in the amount of \$ 1,850.00 to cover the above fees. A duplicate copy of this sheet is enclosed. (Trans. Nos. 22487, 22488, 22489, 22490, 22491 and 22492).						
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO:						
FITCH, EVEN, TABIN & FLANNERY 120 South LaSalle Street, Suite 1600 Chicago, IL 60603-3406 U.S.A.						
Telephone: (312) 577-7000 Facsimile: (312) 577-7007						
 SIGNATURE Kenneth H. Samples NAME						
25,747 REGISTRATION NUMBER						

10/534770

JC06 Rec'd PCT/PTO 13 MAY 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re International Application of

Shingo KAWAI et al.

International Application No.: PCT/JP2004/006767

International filing date: May 13, 2004

For: OPTICAL MODULE AND ITS WAVELENGTH MONITOR
CONTROL METHOD

VERIFICATION OF TRANSLATION

Honorable Commissioner of Patent and Trademark

Washington, D.C. 20231

Sir:

Mitsumasa IHARA residing at c/o TANI & ABE, No. 6-20, Akasaka 2-chome, Minato-ku, Tokyo 107-0052, Japan, declares:

(1) that he knows well both the Japanese and English languages;

(2) that he translated the claims of the above-identified International Application from Japanese to English;

(3) that the attached English translation is a true and correct translation of the claims, specification and drawings of the above-identified International Application to the best of his knowledge and belief; and

(4) that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

Mitsumasa IHARA